IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, CRIMINAL JURISDICTION

CRIMINAL APPLICATION NO. 5887 OF 2005
IN
CRIMINAL APAPEAL NO. 845 OF 2005

Fahim Maksud Ansary. .. .. Appplicant
(Orig. Accd. No.2)

Versus

The State of Maharashtra. .. ..Respondent

Shri. K. S. Patil, Advocate, for the Applicant-Original Accused No.2.

Shri. U. N. Nika, A. P. P., for the Respondent-State.

CORAM : A. M. KHANWILKAR, J.
DATE : NOVEMBER 21, 2005

P. C.

. Heard learned Counsel for the parties. Perused the evidence which is placed on record along with the application.

2. *Prima facie,* there is substance in the submissions canvassed on behalf of the applicant. The appeal is already admitted. The applicant was on bail throughout the pendency of the trial. There is nothing on record to indicate that the applicant has misused the bail. The record does not show that there are any antecedents

of the applicant. As the sentence imposed is a short sentence, taking an overall view of the matter, the applicant deserves to be enlarged on bail on the same conditions as obtained during the pendency of the trial but on executing fresh bonds.

3. The criminal application is disposed of in the above terms.

(A. M. KHANWILKAR, J.)